

**U.S. Department of the Interior  
Bureau of Land Management  
Royal Gorge Field Office  
3028 E. Main Street  
Canon City, CO 81212**

## **DETERMINATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY**

OFFICE: Royal Gorge Field Office

PROJECT NUMBER: DOI-BLM-CO-200-2013-074 DN

PROPOSED ACTION TITLE/TYPE: Range – Grazing Permit Transfer and Renewal for Soda Mountain Allotment #15032

LOCATION/LEGAL DESCRIPTION: Colorado, Fremont County,

Sixth Principle Meridian,  
T. 18 S., R. 68 W., sec. 5 to 8 inclusive. (see map for more precise location)

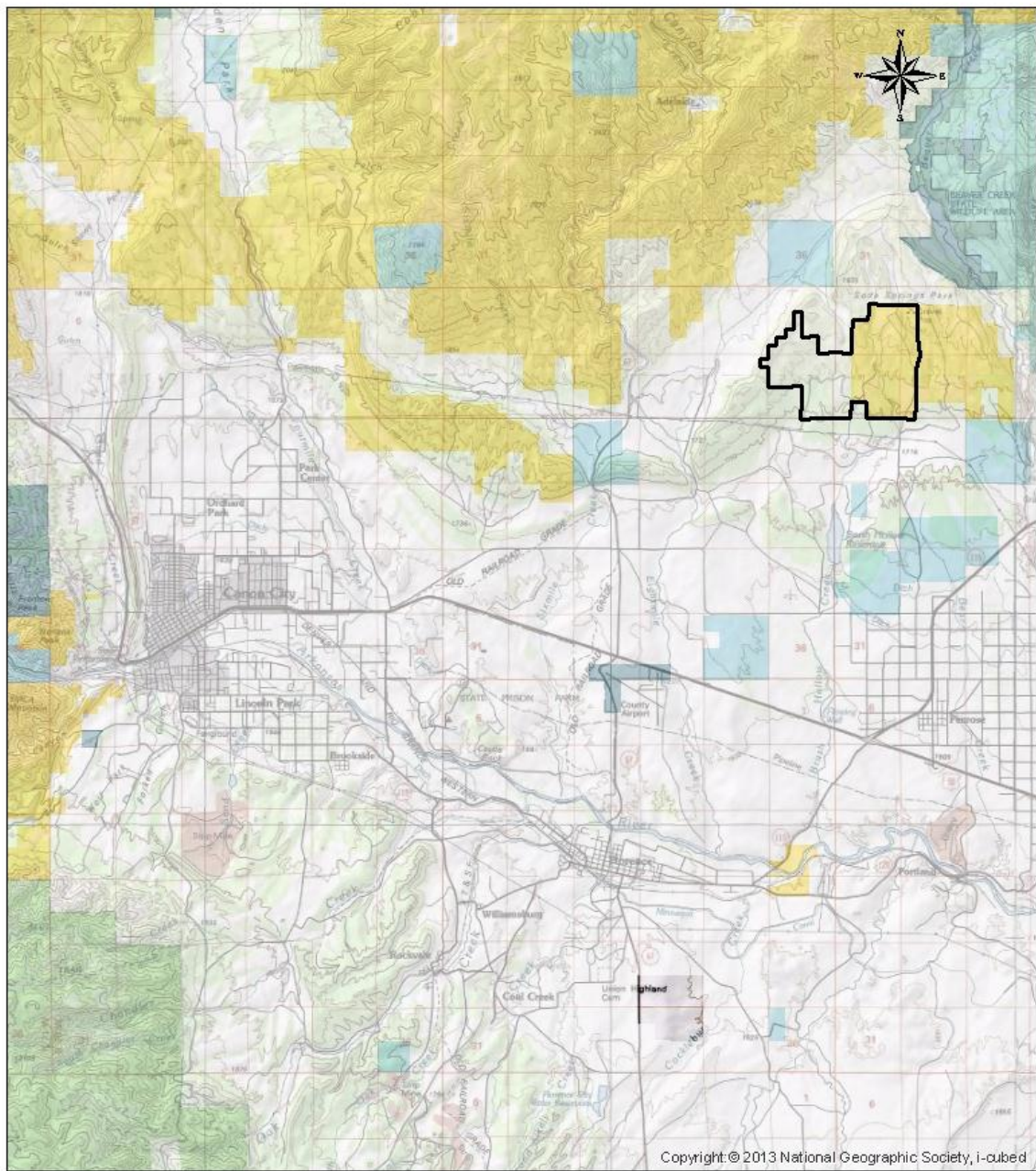
Public Acres: 955

### **A. Description of the Proposed Action and any applicable mitigation measures**

The proposed action is to transfer the authorization to graze livestock on public lands included in the Soda Mountain Allotment. The new lease/permit will expire after three years. Grazing use on the allotment will remain as previously scheduled. There will be no changes in livestock numbers; authorized grazing dates and times; authorized levels of use; or terms and conditions.

The base property for the Soda Mountain Allotment was previously being leased to Steve Dowd, who has since lost control of the base property. Rocky Mountain Romangus, Inc. is now leasing the base property and has applied for the grazing permit for public land included in the Soda Mountain Allotment.

The allotment has undergone internal interdisciplinary team review through a Public Land Health Assessment in 2000 and is currently meeting public land health standards.



## LOCATION MAP - GRAZING PERMIT TRANSFER Soda Mountain Allotment #15032

### Legend

- Soda Mountain Allotment
- Bureau of Land Management
- Private
- State
- State, County, City, Areas
- US Forest Service

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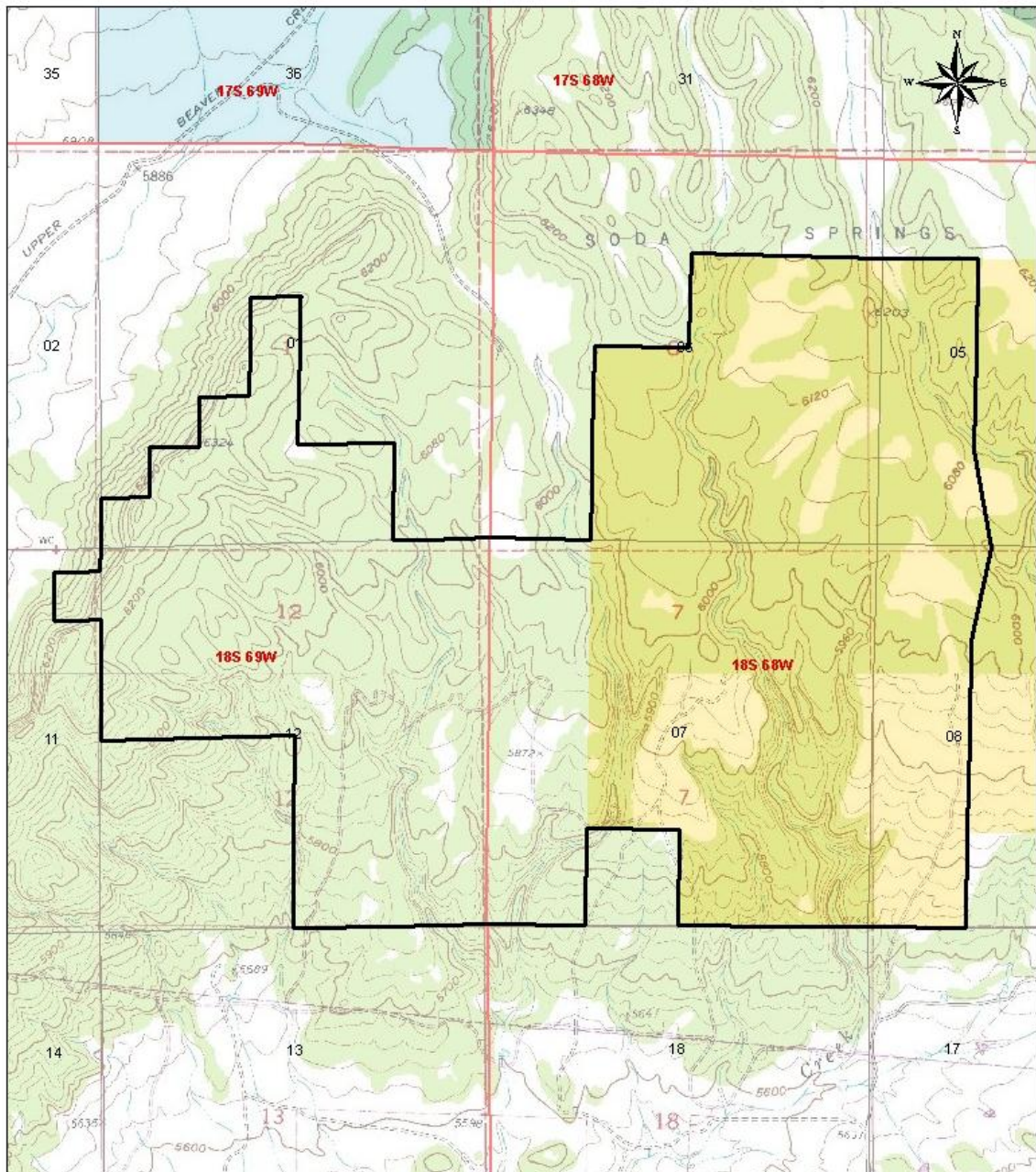
0 2.5 5 Miles



### NOTE TO MAP USERS

No warrantee is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked or current status on any specific tract of land.





**Legend**

- Soda Mountain Allotment
- Bureau of Land Management
- Private
- State
- State, County, City, Areas

**PROJECT MAP -**  
**Grazing Permit Transfer & Renewal**  
**Soda Mountain Allotment**

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0      0.25      0.5  
————— Miles

**NOTE TO MAP USERS**  
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## Land Use Plan (LUP) Conformance

LUP Name Royal Gorge Resource Management Plan	Date Approved 5/13/96
Other Document Final Livestock Grazing EIS	Date Approved 1995

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions: 5-2, 5-4, C-30, C-41, C-42, and C-43

### Decision Language:

5-2: Season of use and stocking rates will continue based on the Grazing EIS and vegetation monitoring.

5-4: Grazing use is authorized on 123 allotments.

C-30: Base livestock grazing management on the 1981 RGRA EIS.

C-41: Adjustments in grazing use will be made by allotment on a case by case basis. Changes in number of livestock, season of use, duration of use, and class of livestock can be made based on monitoring studies and inventory data.

C-42: The grazing treatment on Improve and Maintain category allotments will require a rest standard to allow a time period for forage species to recover from the last grazing period before the plants are re-grazed.

C-43: Maximum allowable utilization on allotments with rotational grazing or dormant season grazing will 80% annual production on grass species and 60% of annual production on shrub species.

### **C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

List by name and date all applicable NEPA documents that cover the proposed action.

Term Grazing Permit Renewals: DOI-BLM-CO-200-2009-0078 EA.

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Public Land Health Assessments: 2000

### **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

The RMP and Grazing EIS analyzed livestock grazing by allotment with the mandatory terms and conditions. The previous EAs analyzed grazing use and permit renewal on the same allotment. The Proposed Action is substantially the same action and at the site specifically analyzed in the existing NEPA documents(s). Grazing use on the allotment will remain as previously scheduled. There will be no changes in livestock numbers; authorized grazing dates, times, authorized levels of use; or terms and conditions.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes. The RMP/EIS and EA's considered a range of alternatives. The existing EA for permit renewal was conducted in 2009 and continues to be appropriate for current conditions. The EA included a proposed action alternative, which would have provided for any change in grazing or season of use, a no action alternative that would have continued grazing as previously scheduled and a no grazing alternative. No new environmental conditions or change in resource values have arisen that would invalidate those alternatives analyzed.

**3. Is the existing analysis valid in light of any new information or circumstances (such as rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes. The previous information and circumstances and analysis are still valid in light of the 2000 Health Assessment, and no new issues concerning grazing have arisen on this allotment.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes. The impacts remain unchanged. Those impacts, including cumulative impacts, normally associated with livestock grazing are mitigated through managed grazing schedules, pasture rotations and monitoring of land health standards.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes. Extensive scoping and public involvement occurred in the RMP/EIS. Also, scoping occurred during the term permit renewal.

## E. Persons/Agencies /BLM Staff Consulted

<b>INTERDISCIPLINARY TEAM REVIEW</b>			
<b>NAME</b>	<b>TITLE</b>	<b>AREA OF RESPONSIBILITY</b>	<b>Initials/date</b>
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 6/3/2013
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	-----
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	5/30/2013
John Lamman	Range Management Spec.	Weeds	JL, 05/31/2013
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 6/7/13
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	SSC, 6/19/13
Melissa Smeins	Geologist	Minerals, Paleontology	-----
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 6/4/13
Ty Webb	Prescribed Fire Specialist	Air Quality	mw for TY 6/25
Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 6/4/13
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	KL, 6/4/2013
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	-----
Ken Reed	Forester	Forestry	KR, 6/3/13
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	mw, 6/4/13
Monica Weimer	Archaeologist	Cultural, Native American	-----
Michael Troyer	Archaeologist	Cultural, Native American	MDT 6/4/2013
Vera Matthews	Realty Specialist	Realty	vm, 6/4/2013
Steve Craddock	Realty Specialist	Realty	-----
Bob Hurley	Fire Management Officer	Fire Management	BH, 6/4/2013
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	-----

Other Agency Represented: None

### REMARKS:

Cultural Resources: Pursuant to BLM Instruction Memorandum Number CO-2002-029, RGFO cultural resources staff conducted a literature review of previous inventories and sites recorded on the public land in the allotment area [see Report CR-RG-13-161 (R)]. Based on the information collected during the literature review, it was determined that no historic properties would be impacted by the proposed undertaking.

Native American Religious Concerns: The literature review indicated that no traditional cultural properties have been recorded within the allotment boundaries. Native American Tribal consultation has been completed for these allotments. There is no other known evidence that

suggests the project area holds special significance for Native Americans. Therefore, it is unlikely that any traditional cultural properties or other sites of concern to the tribes will be affected by grazing.

**Threatened and Endangered Species:** There are no records of any federally listed or BLM sensitive species within or near the project area. The Proposed Action will not result in impacts to TES species.

**Realty:** The only active lands and realty authorization in the area is located 6th Principle Meridian, T. 18 S., R. 68 W., sec. 5, NE1/4NE1/4., for the Beaver Water and irrigation company Penrose, Colorado, 81240; serial number COP 0-7902. The lands authorization will not be impacted by the renewal of the grazing permit.

**MITIGATION:** Compliance inspections will be necessary to ensure trespass is not occurring.

## **CONCLUSION**

### **DOI-BLM-CO-200-2013-074 DN**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

**SIGNATURE OF PROJECT LEAD:** Christine Cloninger

**SIGNATURE OF NEPA COORDINATOR:** /s/ Martin Weimer

**SIGNATURE OF NEPA SUPERVISOR:** Melissa Garcia

**SIGNATURE OF THE RESPONSIBLE OFFICIAL:**                      /s/ Keith E. Berger  
Keith E. Berger, Field Manager

**DATE:** 7/8/13

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.